

DEPARTMENT OF THE ARMY
U.S. Army Corps of Engineers
Humphreys Engineer Center Support Activity
CEHEC-CT Alexandria, Virginia 22315-3860

HECSA Regulation
No. 715-1-1

13 March 2000

Duties and Responsibilities
CONTRACTING OFFICER REPRESENTATIVE (COR)

1. Purpose. This regulation establishes policy, procedures, and training requirements for the appointment of contracting officer representatives (COR). This policy is intended to provide a better understanding of the responsibilities and duties of the COR.
2. Applicability. This regulation is applicable to all personnel who have been designated as COR by contracting officers of the Humphreys Engineer Center Support Activity and those supported by the same. This includes individuals designated as alternates to act only in the absence of the primary appointee.
3. Distribution Statement. Approved for public release; distribution unlimited.
4. References. FAR, AFARS, EFARS, Subparts 1.6 and DFARS 201.6.
5. Policy.
 - a. Selection and Appointment.
 - (1) All individuals designated as COR shall possess qualifications, experience and training commensurate with the complexity and dollar value of the acquisition.
 - (2) The using or requiring element is responsible to nominate responsible individuals for appointment eligibility as COR. The nomination should be submitted to the Chief, Contracting Office, with a resume of qualifications addressing the following:
 - (a) Name of designee.
 - (b) Rank or grade, title and position.
 - (c) Brief description of current duties.

- (d) Civilian schooling and education.
 - (e) Military schools, training.
 - (f) Previous experience pertinent to COR duties.
 - (g) Type and duration of key positions held.
 - (h) Supervisor's comments on nominee's business acumen, personality traits and ethics which evidence nominee's suitability for appointment as a COR.
- (3) The nominee's supervisor should sign this nomination. The Chief, Contracting Office, shall review and approve the nomination.
- (4) The nominee is then notified of eligibility for appointment as a COR. The user or requiring element then requests, by name, the appointment of a qualified individual as COR for specific contract(s).

b. Training requirements.

(1) Mandatory. The U.S. Army Logistics Management College Contracting Officers Representative Course shall be completed prior to nomination. (Course information can be found at www.almc.army.mil/schedule/.) When deemed necessary, the Chief, Contracting Office, or one level above the contracting officer may grant a one-time waiver, for a period not to exceed 180 days. Requests for such a waiver shall include documentation justifying the waiver.

(2) Highly recommended training for all COR:

(a) "Contracting Fundamentals," formerly titled "Management of Defense Acquisition Contracts (MDACC) Basic" or the applicable contract administration courses offered through the Corps of Engineers program at Huntsville, U.S. Army Engineering and Support Center (CEHNC).

(3) Desirable training for all COR. "Contract Law".

c. Authority and Limitations.

(1) Each COR designation or change thereto shall be in writing. A COR is normally designated by name. A separate designation shall be issued for each contract defining the scope and limitations of authority of the COR. Such designation shall

remain in effect throughout the life of the contract unless revoked by the contracting officer or his successor.

(2) The COR authority is derived solely from the contracting officer. The COR must carefully observe the scope and limitations of delegated authority and must consult with the contracting officer when in doubt about a correct course of action to be taken.

(3) There is no specific guideline as to the number of contracts for which a COR may be responsible. Nor is there a requirement that an alternate COR must be designated for each contract. In these matters, the user or requiring element shall consult with the contracting officer.

(4) The COR may not redelegate his COR authority. However, the COR may be assisted in performance of his duties by qualified project management, technical and administrative assistants. A COR is responsible for those duties performed by technical and administrative assistants.

(5) The COR must be aware of the responsibility to act in the best interests of the Government and the need to work closely with the contractor and contracting officer to anticipate and resolve difficulties. The COR must objectively evaluate the contractor's performance and keep the contracting officer fully informed of progress, including all problems. A COR may be held personally accountable and/or liable for unauthorized acts.

(6) The COR shall not agree to, sign or award any contract modification, or in any way obligate the expenditure of money by the Government and shall avoid any action which the contractor might construe as authorization to alter, reduce, or increase the work required in the contract.

6. Standards of Conduct.

a. All personnel engaged in acquisition and contract administration must conduct business dealings with industry in a manner above reproach in every respect and must protect the U.S. Government's interest and maintain its reputation for fair dealings with contractors. DoD Regulation 5500.7-R, the "Joint Ethics Regulation," sets forth the principles of ethical conduct for all personnel directly or indirectly concerned with contracting or related activities.

b. A COR having direct or indirect financial interests which would result in a conflict between his private interests and the public interests of the U.S. Government must advise his or her supervisor and the contracting officer of the conflict so that appropriate action may be taken. Further, a COR must avoid the appearance of such conflicts in order to

maintain the public's confidence in the U.S. Government's conduct of business with the private sector.

7. Responsibilities and Duties of the COR.

a. The COR shall:

(1) Ensure that a post-award conference is held when necessary to discuss all significant elements of the contract in sufficient detail to ensure that all parties fully understand the requirements of the contract.

(2) Verify that the contractor performs the technical requirements of the contract in accordance with the contract terms, conditions, and specifications using the quality assurance surveillance plan.

(3) Maintain liaison and direct communication with the contractor. Written communications with the contractor and other documents pertaining to the contract shall be signed as "Authorized Representative of the Contracting Officer" with a copy furnished to the contracting officer.

(4) Monitor the contractor's performance and notify the contractor of deficiencies observed during surveillance, and direct appropriate action to affect correction. Verify that corrective action has been taken. Record and report to the Contracting Officer incidents of faulty or nonconforming work, delays, or problems.

(5) Coordinate site entry for contractor personnel, as necessary, and ensure that any Government furnished property (GFP) is available when required.

(6) Where contractor acquired and government furnished property (GFP) management are part of the contract requirements, the COR shall be further designated as "Property Administrator". The requirements and limitations of authority for property administration are found at FAR Part 45 and DFARS Part 245. The COR/Property Administrator is responsible to review and approve the contractor's property control system and procedures and to record and report to the contracting officer results of all inspections of the property control system. Upon installation or incorporation of GFP or conclusion of the contract, the COR/Property Administrator is responsible to prepare a final status report for all GFP included in the contract.

(7) Accept or reject the product of service and promptly approve or disapprove payment requests. Perform contract quality assurance, by verifying through inspection or obtaining verification through inspection from other responsible parties as to the amount of work actually performed or the completeness and adequacy of services rendered as

compared to that claimed for payment before approving an invoice. Results of inspections should be used as the basis of acceptance or rejection of supplies and services.

(8) Maintain a file for each contract assigned.

b. As COR you are not authorized to:

(1) Redelagate your COR authority in any way.

(2) Initiate or award, agree to, or sign any contract or contract modification thereto, or in any way obligate the payment of money by the Government.

(3) Make any commitments or changes that will affect price, quality, quantity, delivery, or any other term or condition of the contract.

(4) Authorize any waiver or deviation from the contract clauses.

(5) Direct the contractor to perform any work other than that required by the contract.

(6) Render a final decision under the "Disputes" clause.

c. The duties and responsibilities set forth herein are not intended to be all-inclusive. As specific situations arise that have not been covered or that have created a question, the COR should consult with the contracting officer and obtain advice on how to proceed in the best interest of the Government.

8. COR Files. A COR is required to maintain adequate records to document the performance of his/her duties. A file must be maintained for the life of each contract assigned. This file must include, as a minimum:

- a. A copy of the contracting officer's letter of designation.
- b. A copy of the contract and all modifications thereto.
- c. A copy of the applicable quality assurance surveillance plan.
- d. All correspondence initiated by the COR concerning performance of the contract.
- e. Records of inspections performed and the results of corrective actions taken.

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- f. Memoranda for record or minutes or any pre-work or post-award conference.
 - g. Memoranda for record or minutes or any meetings or discussions with the contractor, or others, pertaining to the contract or contract performance.
 - h. Records about the contractor's quality control system and plan, and the results of the quality control effort.
 - i. Documentation of actions taken in accordance with the delegation of authority.
9. Responsibilities for the processes of contract administration are not limited to the individual COR appointees. There must be a supervisory as well as organizational commitment to the support of the contracting program(s) serving the mission requirements. It is the responsibility of the HECSA Contracting Office as program advisor to assist organizational elements requiring COR to comply with this regulation.
10. The proponent for this regulation is the HECSA Contracting Office. Any changes or deviations to the regulation must be coordinated through the Chief, Contracting Office.



CHARLES B. RAU
Director